

IN THE UNITED STATE PATENT AND TRADE MARK OFFICE

Applicant: James Jaquith et al      Art unit: Not yet assigned  
Serial No: PCT/CA2004/001484      Examiner: Not yet assigned  
Filed: 11 August 2004      Customer No: 45980  
Title: 3-(INDOL-1-YL)-4-(INDOL-3-YL)-PYRROLE-2,5-DIONES,3-(BENZIMIDAZOL-1-YL)-4-(INDOL-3-YL)-PYRROLE-2,5-DIONES, and 3-(INDOLIN-1-YL)-4-(INDOL-3-YL)-PYRROLE-2,5-DIONES; THEIR PREPARATION AND USE AS MODULATORS OF APOPTOSIS.

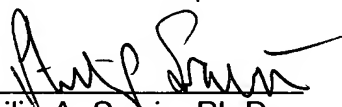
Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia  
USA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

This statement is being filed with the application. Applicants submit the enclosed PTO 1449 form identifying six (6) references. Under 35 USC § 120, this application relies on the earlier filing date of application serial number PCT-CA2004/001484 filed August 11 2004.

Submission of this statement is not a representation that a search has been made, nor is the inclusion of information in this statement an admission that the information is material to patentability.

Respectfully submitted,

  
Philip A. Swain, Ph.D.  
Registration No: 55,978

Date: January 30 2006.

Dr. Philip A. Swain  
c/o Aegera Therapeutics Inc  
810 Chemin du Golf  
Nun's Island, Quebec  
Canada H3E 1A8  
Telephone : (514) 288 - 4091 Ext :353  
Facsimile: (514) 288 - 9820

**IAP9 Rec'd PCT/PTO**

01 FEB 2006  
BTG/SP/MA/07.05

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

**(Use as many sheets as necessary)**

**Complete if Known**

Application Number	PCT/CA2004/001484
--------------------	-------------------

Filing Date	August 11 2004
-------------	----------------

First Named Inventor	James B. Jaquith
----------------------	------------------

**Art Unit**

**Examiner Name.**

Attorney Docket Number	126-PCT2-US
------------------------	-------------

Sheet	1	of	2
-------	---	----	---

## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> *Number <sup>4</sup> *Kind Code <sup>5</sup> (if known)				
		CA 2,409,355	11-22-2001	Fallis et al		
		WO 99/47518 A	09-23-1999	Hoffman-LaRoche		
		WO 98/04551 A	02-05-1998	Hoffman-LaRoche		

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND**

TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>		<b>Complete if Known</b>	
		Application Number	PCT/CA2004/001484
		Filing Date	August 11 2004
		First Named Inventor	James B. Jaquith
		Art Unit	
		Examiner Name	
Sheet	2	of	2
		Attorney Docket Number	126-PCT2-US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1	DAVIS, P.D., et al. "Inhibitors of Proteinkinase C.I. 2,3-Bisarylmalesimides". Journal of Medicinal Chemistry, vol. 35, no. 1, 10 January 1992, pages 177-184.	
	2	DAVIS, P.D., et al. "A Mild Conversion of Maleic Anhydrides into Maleimides", Tetrahedron Letters, vol.31, no. 36, 1990, pages 5201-5204	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.